

EXHIBIT A TO
FINEGAN MOTION IN LIMINE

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

VICTORIA'S SECRET STORES
BRAND MANAGEMENT, INC.,

Plaintiff,

v.

SEXY HAIR CONCEPTS, LLC,

Defendant.

Case No. 07cv-5804 (GEL)

EXPERT REPORT OF EDWARD FINEGAN, Ph.D.

Report of Edward Finegan

1. I have been retained by Colucci & Umans to provide my professional opinion as to the meaning and use of the word *sexy* in connection with hair care products and to compare the Victoria's Secret SO SEXY mark with several Sexy Hair Concepts marks, as exemplified in WILD SEXY HAIR and STRAIGHT SEXY HAIR.
2. I hold a Ph.D. from Ohio University and have been a faculty member at the University of Southern California ("USC") since 1968. I have been a tenured professor of linguistics since 1983 and, since 1996, I also teach in USC's School of Law, where I lecture to first-year students and their instructors on the application of linguistic principles to legal writing. I have written extensively on linguistics and the English language, including book chapters, articles, and books; some of those books are used as standard textbooks in North America, Europe, and Asia. I have served as a referee for numerous scholarly journals and book publishers, including Oxford University Press, Cambridge University Press, and the University of Chicago Press. I have served on the editorial boards of university press book series and of scholarly and professional journals, including *English Language and Linguistics*, *American Speech*, and *Discourse Processes*. I am a member of the Linguistic Society of America and the American Dialect Society. I currently serve as a member of the executive board of the Dictionary Society of North America and on standing committees of the Linguistic Society of America.
3. I am being compensated at a rate of \$400 per hour for my time in connection with this matter.
4. A true and correct copy of my curriculum vitae is attached hereto and incorporated by this reference as Appendix A.
5. Background of the Word *Sexy* *Sex* has been an English word since the 1300s. *Sexy* is an adjective derived from the noun *sex* by addition of the suffix *-y*, but it does not make its first appearance in the language until 1925. As is typical of adjectives so derived, *sexy* originally carried a sense closely and directly (some

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might say “literally”) related to that of the noun *sex*. *Merriam-Webster’s Collegiate Dictionary*¹ characterizes this sense as “sexually suggestive or stimulating,” the *American Heritage College Dictionary*² as “arousing or tending to arouse sexual desire or interest.”

6. *Sexy Has Widespread Figurative Uses* In the course of the past 80 years, the word *sexy* has maintained its literal sense but, as frequently happens with English words, has also developed an extended scope of meaning beyond ‘arousing sexual desire.’ As commonly used today, *sexy* conveys more general metaphorical or figurative senses. By a figurative sense I mean one that arises from an aspect of the original meaning but is applied in other contexts not directly related to the original meaning. Referring to supporters of a war as “hawks” or its opponents as “doves” illustrates the phenomenon for nouns. As an example of an adjective like *sexy*, *The American Heritage College Dictionary* offers three definitions for the adjective “fragile,” and it is clear from the progression of the definitions over time how the original (literal) meaning of physically ‘breakable’ has been extended *figuratively* to entities that are breakable principally in senses other than physical, such as emotional.

7. *Sexy* is often used today in the sense of “generally attractive or interesting; appealing” (Merriam-Webster) or “highly appealing or interesting; attractive” (American Heritage). Merriam-Webster illustrates this extended, figurative meaning by applying *sexy* to stocks, while American Heritage applies it to recruiting brochures; in neither illustration is the literal sense of ‘arousing sexual desire’ intended. Using *sexy* in connection with stocks and recruiting brochures is typical of countless uses of that adjective to characterize automobiles, restaurants, technological gadgets, political issues, banking and commerce, and just about anything else one might wish to describe as appealing. Besides its literal meaning, then, *sexy* has come to convey a laudatory sense of ‘highly appealing,’

¹ 11th edition (2003)

² 4th edition (2004)

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‘interesting,’ and ‘attractive.’ As examples of such figurative uses, consider the occurrence of *sexy* to characterize new cars, as in “But without sexy new cars, high quality will not be enough to maintain market share”⁴ or to characterize wine bottles, as in “The sexy bottle and old-style French label make this Champagne dance off the shelf.”⁵ In Appendix B, I provide additional examples of *sexy* used figuratively in published U.S. sources as represented in the Lexis-Nexis database, and many, many others could have been added to the list.

8. *Sexy Is Widely Used in Connection with Hair Care* Besides its use in a wide range of contexts unrelated to human beauty or hair, *sexy* occurs commonly in discussion of beauty and beauty products and in hair care and hair care products. For example, a search of the World Wide Web in late January of 2008 provides more than 200,000 hits for the expression “sexy hair” on pages apparently unrelated to products sold by Sexy Hair Concepts (“SHC”). While that number may include some pages in which the expression “sexy hair” is used in connection with SHC and its products, tens of thousands of those examples, perhaps virtually all of them, are independent of SHC and its products.⁶
9. Such widespread use of the term *sexy* in connection with hair is not surprising. Indeed, it indicates that the adjective *sexy* is very commonly associated with hair styles, hair care, hair care products, and hair more generally. The evidence shows that *sexy* is a word very frequently associated with hair and very frequently used in discussion about hair.
10. In my opinion, *sexy* used figuratively is descriptive or suggestive of various features or characteristics of hair and hairstyles. *Sexy* is widely used to characterize hair that is ‘highly appealing, attractive, or interesting.’ As such, use

⁴ *The Economist*, 1991.

⁵ *Dallas Morning News*, 2007.

⁶ Among the more than 200,000, I have not counted any page containing any of the following terms, which could identify the page as having a connection to Sexy Hair Concepts or Victoria’s Secret: **shc, sexyhair, sexy hair concepts, concepts, big sexy hair, short sexy hair, straight sexy hair, curly sexy hair, silky sexy hair, McPhee, O’Rourke, Chatsworth, or Victoria’s.**

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of the word *sexy* to brand hair care products would require its incorporation into a larger expression, such as BIG SEXY HAIR or SO SEXY. As applied to hair, *sexy* is, in my opinion, a descriptive term, albeit one whose meaning is relatively general in the way that *appealing*, *interesting*, and *attractive* are generally descriptive.

11. SHC's and Victoria's Secret's Marks Differ Fundamentally in Linguistic Structure In the paragraphs immediately to follow, I show that SHC's marks and the Victoria's Secret mark differ fundamentally in their linguistic structure, and I indicate why that is an important fact about their identity as marks.
12. SHC's Marks Are Noun Phrases The expressions "big sexy hair," "hot sexy hair," "wild sexy hair," "short sexy hair," "curly sexy hair," and "straight sexy hair" are all noun phrases, showing the pattern Adjective + Adjective + Noun. SHC's "sexy hair" mark is likewise a noun phrase, showing an Adjective + Noun pattern. In a noun phrase, the pivotal word (what linguists call the "head") is a noun (in these cases the noun *hair*), and the whole phrase functions like a noun. Given that these SHC marks are noun phrases with one or more modifying adjectives, a brief description of the linguistic character of those adjectives is helpful in underscoring the differences between SHC's marks and the Victoria's Secret SO SEXY mark.
13. Words such as *big*, *hot*, *wild*, *short*, *curly*, and *straight* are what may be called canonical adjectives. That means they share a particular set of grammatical features.⁷
 - i) They may function attributively (that is, they may occur in an expression preceding a noun), as in *big mistake*, *straight lines*, *wild party*.
 - ii) They may function predicatively (that is, they may occur as the complement to a copula), as in *It's short*, *it's straight*, and *it's wild*.

⁷ See, e.g., *A Comprehensive Grammar of the English Language* by R. Quirk et al. (1985).

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- iii) They may be inflected for comparative degree, as in *bigger* and *hotter*, and for superlative degree, as in *wildest* and *shortest*.
 - iv) They themselves may be modified by a preceding word, as in *very big* and *very straight*.
14. The Victoria's Secret Mark Is an Adjective Phrase In sharp contrast to the character of SHC's marks, the Victoria's Secret SO SEXY mark is not a noun phrase but an adjective phrase, showing an Adverb + Adjective pattern. As an adjective phrase, the pivotal word or head in SO SEXY is the adjective (*sexy*); the adjective is modified by the adverb (*so*); and the expression as a whole functions like an adjective.
15. Unlike the canonical adjectives in SHC's marks discussed above, the modifying word, the adverb *so*, in the Victoria's Secret mark does not have any of the four characteristics of canonical adjectives. For that reason, the examples below, which mirror those given above for SHC's marks, would be ungrammatical:
- i) *So* cannot function attributively (that is, preceding a noun); thus, "so mistake," "so lines," and "so party" are ungrammatical expressions.
 - ii) *So* cannot function predicatively, as in *It is so*.⁸
 - iii) *So* cannot be inflected for comparative or superlative degree; thus "soer" and "soest" are not English words.
 - iv) *So* cannot be premodified ("very so" is not English).
16. Unlike *big*, *hot*, *wild*, *short*, *curly*, and *straight*, which are adjectives, *so* is an adverb; it is an adverb of a kind called "intensifier." *So* has none of the characteristics of a canonical adjective. Rather, in SO SEXY it serves a characteristic function of adverbs of its kind in that it intensifies the meaning of the adjective it modifies, namely, *sexy*.

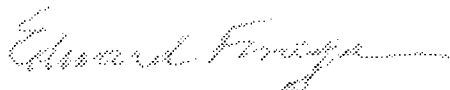
⁸ Of course, one can say, e.g., "It is so" or "That's so," but in such utterances *so* is a different word from the one being analyzed here; it would not be an intensifier adverb but an adjective, and it would carry a different meaning from intensifier *so*, something akin to 'true,' as in "It is true."

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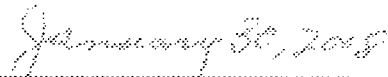
17. I have shown above that SHC's marks and the Victoria's Secret SO SEXY mark differ fundamentally in grammatical structure. The importance of that fact in comparing marks and weighing possible confusability is that the grammatical character of an expression in everyday use or common parlance, which most speakers would not be consciously aware (certainly not in the grammatical terms linguists use to describe such phenomena), is nevertheless of importance in memory storage and in recall of such expressions. In other words, whether in common parlance or when used as marks, the linguistic character of an expression plays an important role in how a term is stored in memory, what it is associated with, and how it is retrieved from memory.
18. It is my opinion that the word *sexy*—as used in the context of beauty products, including hair care products—conveys a figurative sense of 'highly appealing, interesting, attractive.' Further, because of its generally laudatory meaning of 'appealing, interesting, attractive,' the adjective *sexy*, used alone, cannot be inherently distinctive of a source. By contrast, a phrase or expression incorporating the word *sexy* might well be distinctive. From a linguistic point of view, *sexy* could be distinctive of a provider or source only when incorporated in a larger expression such as BIG SEXY HAIR or STRAIGHT SEXY HAIR or SO SEXY. From a linguistic point of view, the marks SO SEXY and BIG SEXY HAIR (or any other of SHC's marks) differ significantly from one another in common parlance and thus, by extension, when as used in marks.

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19. Conclusion I have examined SHC's marks and the Victoria's Secret SO SEXY mark and find them to be significantly different in linguistic character. They share the word *sexy*, but in SHC's marks *sexy* is part of a noun phrase, modifying the grammatically pivotal noun *hair*. By contrast, in the Victoria's Secret mark, *sexy* is itself the pivotal term, making the expression an adjective phrase with *sexy* as its head. In both cases, *sexy* is used figuratively in the sense of 'highly appealing, interesting, attractive' and thus suggests appealing, interesting, or attractive characteristics. It is my opinion that SHC's marks and the Victoria's Secret SO SEXY mark differ so significantly that there is little or no likelihood of confusion between them. In light of the linguistic facts presented above, I conclude that the decision of the TTAB betrays an analysis that is forced and inapt in its linguistic characterization.



Edward Finegan, Ph.D.



Date

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Appendix A

Curriculum Vitae of Edward Finegan

Department of Linguistics GFS 301
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PROFESSIONAL EXPERIENCE

American Dialect Society Professor of Linguistics, Linguistic Society of America
Summer

Institute, Stanford University, 2007

Professor of Linguistics and Law, University of Southern California, 1996—

Visiting Professor of Linguistics, Linguistic Society of America Summer Institute,
University of

California, Santa Barbara, 2001

Visiting Professor of English, University of Zurich, Spring/Summer 1998

Professor of Linguistics, University of Southern California, 1983-96

Fellow in Law and Linguistics, Harvard University, 1988-89

Director, American Language Institute/National Iranian Radio and Television (Tehran),
1975-76

Chairman, Department of Linguistics, University of Southern California, 1969-75

Associate Professor of Linguistics and English, University of Southern California, 1970-
83

Assistant Professor of English and Linguistics, University of Southern California, 1969-
70

Assistant Professor of English, University of Southern California, 1968-69

Instructor, English and Linguistics, Case Western Reserve University, 1967-68

Visiting Assistant Professor of English, Case Western Reserve University, Summer 1967

Instructor in English, Case Institute of Technology, 1966-67

Instructor in English, Ohio University, Summer 1964; Spring, Fall, 1965

Instructor in Mathematics, West Hempstead (New York) Jr.-Sr. High School, 1962-63

EDUCATION

B.S., Iona College, 1962

M.A., Ohio University, 1964

University of Michigan, Linguistics Institute, 1965

Ph.D., Ohio University, 1968

Post-doctoral studies:

New York University, Summer 1968

Ohio State University, Linguistics Institute, 1970

Harvard Law School, 1988-89

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HONORS

Albert S. Raubenheimer Distinguished Faculty Award, USC, 2004
 General Education Teaching Award, USC College, 2001
 Diploma of Honor, Phi Kappa Phi, USC Chapter, 1998
 President, Phi Kappa Phi All-University Honor Society, USC Chapter, 1998-99; 2003-04
Language Learning Distinguished Scholar-in-Residence, Universidad de las Americas-Puebla, Mexico, October 1995
 Faculty of Arts Visiting Scholar, University of Helsinki, May 1996
 Liberal Arts Fellow, Harvard Law School, 1988-1989
 Albert S. Raubenheimer Distinguished Faculty Award, USC, 1981
 Associates Award for Excellence in Teaching, USC, 1980
 Visiting Scholar, Linguistics Institute, Ohio State University, 1970
 Phi Kappa Phi, Ohio University, 1964
 NDEA Graduate Fellowship, Ohio University, 1963-1966
 Henry L. Logan Award, Excellence in Science, Iona College, 1962

PUBLICATIONS

Books

1. Edward Finegan. *Language: Its Structure and Use*, 5th ed. Wadsworth, 2008
2. Paul Frommer & Edward Finegan. *Looking at Languages*, 4th ed. Wadsworth, 2008
3. Edward Finegan & John R. Rickford, eds. *Language in the USA: Themes for the Twenty-first Century*. Cambridge University Press, 2004
4. Edward Finegan. *Language: Its Structure and Use*, 4th ed. Wadsworth, 2004
5. Paul Frommer & Edward Finegan. *Looking at Languages*, 3rd ed. Wadsworth, 2004
6. Edward Finegan. *Language: Its Structure and Use*, 3rd ed. Harcourt Brace, 1999
7. Paul Frommer & Edward Finegan. *Looking at Languages*, 2nd ed. Harcourt Brace, 1999
8. Douglas Biber, Stig Johansson, Geoffrey Leech, Susan Conrad, Edward Finegan. *The Longman Grammar of Spoken and Written English*. Longman, 1999
9. Douglas Biber & Edward Finegan, eds. *Sociolinguistic Perspectives on Register*. Oxford University Press 1994
10. Edward Finegan. *Language: Its Structure and Use*, 2nd ed. Harcourt Brace, 1994
11. Paul Frommer & Edward Finegan. *Looking at Languages*. Harcourt Brace, 1994
12. Edward Finegan & Niko Besnier. *Language: Its Structure and Use*. Harcourt, 1989
13. Edward Finegan. *Attitudes toward English Usage*. Teachers College Press, Columbia University, 1980

Articles, Book chapters

1. Edward Finegan, "Response to Louis C. Schaedler, 'Call Me Scientist'." *College Composition and Communication* 18 (1967), 148-50
2. Edward Finegan, "Linguistics and Attitudes toward Usage during the Last Decade." *Pacific Coast Philology* 6 (1971), 20-25
3. Edward Finegan, "Form and Function in Testament Language." R. DiPietro, ed. *Linguistics and the Professions*. Ablex (1982), 113-20

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4. Edward Finegan, "Unconscious Attitudes toward Linguistic Variation." In S. Greenbaum, ed., *The English Language Today*. Pergamon Press (1985), 92-98
5. Edward Finegan & Douglas Biber. "Two Dimensions of Linguistic Complexity in English." In J. Connor-Linton et al., eds., *Social and Cognitive Perspectives on Language* (Southern California Occasional Papers in Linguistics 11) (1986), 1-23
6. Edward Finegan & Douglas Biber. "Toward a Unified Model of Sociolinguistic Prestige." In D. Sankoff, ed., *Diversity and Diachrony*. Benjamins (1986), 391-98
7. Douglas Biber & Edward Finegan. "An Initial Typology of English Text Types." In J. Aarts & W. Meijs, eds. *Corpus Linguistics II*. Rodopi (1986), 19-46
8. Edward Finegan. "English." In B. Comrie, ed. *The World's Major Languages*. Oxford University Press (1987), 77-109
9. Edward Finegan. "On the Linguistic Forms of Prestige: Snobs and Slobs Using English." In P. Boardman, ed. *The Legacy of Language: A Tribute to Charlton Laird*. University of Nevada Press (1987), 146-61
10. Douglas Biber & Edward Finegan. "Adverbial Stance Types in English." *Discourse Processes* 11 (1988), 1-34
11. Douglas Biber & Edward Finegan. "Drift in Three English Genres from the 18th to the 20th Centuries: A Multidimensional Approach." In M. Kyto et al., eds., *Corpus Linguistics, Hard and Soft*. Rodopi (1988), 83-101
12. Douglas Biber & Edward Finegan. "Historical Drift in Three English Genres." In T. Walsh, ed., *Synchronic and Diachronic Approaches to Linguistic Variation and Change*. Georgetown University Press (1989), 22-36
13. Douglas Biber & Edward Finegan. "Styles of Stance in English: Lexical and Grammatical Marking of Evidentiality and Affect." *Text* 9 (1989), 93-124
14. Douglas Biber & Edward Finegan. "Drift and the Evolution of English Style: A History of Three Genres." *Language* 65 (1989), 487-517
15. Edward Finegan. "Variation in Linguists' Analyses of Author Identification." *American Speech* 65 (1990), 334-40
16. Douglas Biber & Edward Finegan. "On the Exploitation of Computerized Corpora in Variation Studies." In K. Aijmer & B. Altenberg, eds., *English Corpus Linguistics: Studies in Honour of Jan Svartvik*. Longman (1991), 204-20
17. Edward Finegan. "English." In W. Bright, ed. *Oxford International Encyclopedia of Linguistics*. Oxford University Press (1992)
18. Edward Finegan. "Linguistics." In J. Gibaldi, ed. *Research in the Modern Languages and Literatures*. Modern Language Association (1992), 3-27
19. Edward Finegan. "Style and Standardization in England: 1700-1900." In T. Machan & C. Scott, eds., *English in Its Social Contexts: Essays in Historical Sociolinguistics*. Oxford University Press (1992), 102-30
20. Douglas Biber & Edward Finegan. "The Linguistic Evolution of Five Written and Speech-Based English Genres from the 17th to the 20th Centuries." In M. Rissanen et al., eds. *History of Englishes: New Methods and Interpretation in Historical Linguistics*. Mouton (1992), 688-704
21. Edward Finegan. "Ethical Considerations for Expert Witnesses in Forensic Linguistics." *Issues in Applied Linguistics* 4 (1993), 179-87
22. Douglas Biber, Edward Finegan, D. Atkinson. "ARCHER and Its Challenges: Compiling and Exploring a Representative Corpus of Historical English Registers."

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- In U. Fries et al., eds. *Creating and Using English Language Corpora*. Rodopi (1994), 1-13
23. Douglas Biber & Edward Finegan. "Variation within Medical Research Articles." In N. Oostdijk & P. de Haan, eds., *Corpus-based Research into Language*. Rodopi (1994), 201-21
 24. Douglas Biber & Edward Finegan. "Introduction: Situating Register in Sociolinguistics." In Biber & Finegan, eds., *Sociolinguistic Perspectives on Register*. Oxford University Press (1994), 1-12
 25. Edward Finegan & Douglas Biber. "Register and Social Dialect Variation: An Integrated Approach." In Douglas Biber & Edward Finegan, eds., *Sociolinguistic Perspectives on Register*. Oxford University Press (1994), 315-47
 26. Edward Finegan. "Standard English." In A. Purves, ed., *Encyclopedia of English Studies and Language Arts*. Scholastic Inc. (1994)
 27. Edward Finegan & Douglas Biber. "That and Zero Complementisers in Late Modern English." In B. Aarts & C. Meyer, eds., *The Verb in Contemporary English*. Cambridge University Press (1995), 241-57
 28. Edward Finegan. "Subjectivity and Subjectivisation in Language: An Introduction." In S. Wright & D. Stein, eds., *Subjectivity and Subjectivisation in Language*. Cambridge University Press (1995), 1-15
 29. Edward Finegan. "What Is 'Correct' Language?: Prescriptivism vs. Descriptivism." *The Field of Linguistics*, Linguistic Society of America. [www.lsadc.org/info/ling-fields-prescrip.cfm]
 30. Douglas Biber & Edward Finegan. "Diachronic Relations among Speech-based and Written Registers in English." In T. Nevalainen and L. Kahlas-Tarkka, eds. *To Explain the Present: Studies in the Changing English Language in Honour of Matti Rissanen. Mémoires de la Société Néophilologique de Helsinki*, 52 (1997), 253-75
 31. Edward Finegan & Douglas Biber. "Relative Markers in English: Fact and Fancy." In U. Fries et al., eds. *From Ælfric to the New York Times: Studies in English Corpus Linguistics*. Amsterdam: Rodopi (1997), 65-78
 32. Edward Finegan. "Sociolinguistics and the Law." In F. Coulmas, ed. *The Handbook of Sociolinguistics*. Blackwell (1997), 421-35
 33. Edward Finegan. "English Grammar and Usage." In S. Romaine, ed. *Cambridge History of the English Language*, Vol. 4. Cambridge University Press (1998), 536-88.
 34. Edward Finegan. "Practicing Prescriptivism Now and Then." *American Speech* 75 (2000), 247-49. Repr. *Vocabula Review* 3,2 (2001).
<http://www.vocabula.com/VRFeb01Finegan.htm>.
 35. Edward Finegan & Douglas Biber. "Register Variation and Social Dialect Variation: The Register Axiom." In P. Eckert & J. Rickford, eds., *Style and Sociolinguistic Variation*. Cambridge University Press (2001), 235-67
 36. Edward Finegan. "Usage." In J. Algeo, ed., *Cambridge History of the English Language*, Vol. 6. Cambridge University Press (2001), 358-421
 37. Edward Finegan. "Linguistic Prescription: Familiar Practices and New Perspectives," *Annual Review of Applied Linguistics* 23 (2003), 213-24
 38. Edward Finegan. "English." In W. Frawley, ed. *Oxford International Encyclopedia of Linguistics*, 2nd ed. Oxford University Press (2003)

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39. Edward Finegan, "The Distinctiveness of American English." In E. Finegan and J. R. Rickford, eds., *Language in the USA*. Cambridge University Press (2004), 18-38
40. Edward Finegan, "The Possibilities and Limits of Corpus Linguistic Description/ Möglichkeiten und Grenzen korpuslinguistischer Beschreibung." In U. Ammon, N. Dittmar, K. Mattheier, and P. Trudgill, eds., *Sociolinguistics/Soziolinguistik: An International Handbook of the Science of Language and Society/Ein Internationales Handbuch Zur Wissenschaft Von Sprache Und Gesellschaft*, 2nd ed. Berlin: Walter De Gruyter (2005). Pp. 1095-1103
41. Edward Finegan, "English in North America." In R. Hogg and D. Denison, eds., *A History of the English Language*. Cambridge University Press (2006). Pp. 384-419.
42. Edward Finegan. "English." In B. Comrie, ed. *The World's Major Languages*, 2nd ed. Routledge (in press)

Book reviews

1. *Constituent Structure* by Paul Postal. *Word* 12 (1966), 325-32.
2. *The Roots of Modern English* by L. Myers. *Choice* IV (1967), 1118.
3. *Writing Transformational Grammars* by A. Koutsoudas. *Choice* IV (1968), 1376.
4. *Dimensions of Dialect* by E. Everetts, ed. *Choice* V (1968), 240.
5. *Dictionary of Word and Phrase Origins II* by W. & M. Morris. *Choice* V (1968), 1290.
6. *An Introduction to General Linguistics* by F. P. Dinneen. *Choice* V (1969), 1576.
7. *Attitudes toward English Usage* by W. H. Mittins et al. *Language* 49 (1973), 939-43.
8. *Western Histories of Linguistic Thought* by E.F.K. Koerner. *Language* 58 (1982), 239.
9. *Linguistic Atlas of Middle and South Atlantic States* by McDavid & O'Cain. *Language* 58 (1982), 244-45.
10. *The Role of Prescriptivism in American Linguistics, 1820-1970* by G. Drake. *Language in Society* 12 (1983), 284-85.
11. *The Power of Babel* by M. Pierssens. *Language* 59 (1983), 461.
12. *Understanding Written Language* by A. J. Sanford & S. C. Garrod. *Language* 59 (1983), 461-62.
13. *Computer Corpora in English Language Research* by S. Johansson, ed. *Language* 60 (1984), 190-91.
14. *Variation Omnibus* by D. Sankoff & H. Cedergren, eds. *Language* 60 (1984), 198.
15. *Linguistics, Language, and Law: A Topical Bibliography* by J. Levi. *Language* 60 (1984), 199-200.
16. *Language: The Social Mirror* by E. Chaika. *Language* 61 (1985), 729-30.
17. *Introduction to the Sociology of Language* by F. Penalosa. *Language* 61 (1985), 728-29.
18. "Good News on the 'Literacy Crisis'." Rev. of *On Literacy: The Politics of the Word from Homer to the Age of Rock* by R. Pattison. *American Speech* 60:4 (1985), 354-57.
19. *The English Language: A Historical Introduction* by C. Barber. *Linguistics* (1995), 385-88.
20. *Variation in Australian English: The Sociolects of Sydney* by B. Horvath. *Language* 63 (1987), 193-94.
21. *Language and Social Networks*, 2nd ed. by L. Milroy. *Language* 65 (1989), 670-71.

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22. *Good English and the Grammarian* by S. Greenbaum. *Language* 65 (1989), 662-63.
23. *Text and Corpus Analysis* by Michael Stubbs. *Computational Linguistics* 23 (1997), 487-89.
24. *Language and Law: A Bibliographic Guide to Social Science Research in the U.S.A.* by J. Levi. *Forensic Linguistics* 4 (1997), 303-304.
25. *Nineteenth-Century English* by Richard W. Bailey. *Language in Society* 29 (2000), 291-94.
26. *Legal Language* by Peter M. Tiersma. *Forensic Linguistics* 7 (2000), 123-27.
27. *Dictionaries: The Art and Craft of Lexicography*, 2nd ed. by S. I. Landau. *Dictionaries* 24 (2003), 260-68.

MAJOR RESEARCH FUNDING

“Diachronic Relations among Speech-Based and Written Registers in English.” National Science Foundation Grant BNS-9019893. 11/90-4/92 (Douglas Biber & Edward Finegan, principal investigators)

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS

Linguistic Society of America, Dictionary Society of North America, American Dialect Society, International Linguistics Association, International Association of Forensic Linguists.

MEMBERSHIP ON EDITORIAL BOARDS AND CONSULTANCIES

Consulting Editor, Croom Helm Linguistics Series 1987-1990; General Editor, Oxford Studies in Sociolinguistics, 1988-2002; Member, Editorial Board, *Discourse Processes*, 1983-2002; Member, Editorial Board, *American Speech*, 1985-1988; Member, Editorial Board, *The Writing Instructor*, 1986-1992; Member, Editorial Board, *Journal of English Language and Linguistics*, 1996-2006; Member, Editorial Board, *Corpora*, 2005-present; Member, Editorial Advisory Board, Edinburgh Textbooks in Empirical Linguistics, 1995-present; Member, Editorial Advisory Board, *Advances in Corpus Linguistics*, 2000-present

Consultant for Publishers and Journals

Publishers: Academic Press, Blackwell, Cambridge University Press, Continuum, Edward Arnold, Edinburgh University Press, Harcourt Brace, Macmillan, McGraw-Hill, Modern Language Association, National Council of Teachers of English, Oxford University Press, Palgrave Macmillan, Routledge, St. Martin's, University of Chicago Press.

Journals: *American Speech*, *Discourse Processes*, *Forensic Linguistics*, *Journal of Linguistic Anthropology*, *Journal of Pragmatics*, *Journal of Sociolinguistics*, *Language*, *Language in Society*, *Linguistics*, *Publications of the American Dialect Society (PADS)*, *Southwest Journal of Linguistics*.

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Appendix B

Examples of *Sexy* Used Figuratively

1. For Elite Custom Homes, green building may be the future. "It's our silver bullet," said marketing manager Janet Jackson. "It's what makes us different." 'Green is **sexy**' ("A foundation for green building" *Fort Worth Star-Telegram*, Dec. 9, 2007)
2. The mattress just might be the least **sexy** piece of furniture in the home. ("Giving the mattress its due" *South Bend Tribune*, Dec. 15, 2007)
3. Fisker Automotive founder and CEO Henrik Fisker said he wanted to design a car that makes environmentalism **sexy**. ("Automakers going upscale with electric vehicles" *Associated Press*, Jan. 15, 2008)
4. The super-talented Scott Harvey, winemaker for Napa Valley's Folie a Deux, created this week's wine, a **sexy** threesome of zinfandel, merlot and cabernet called, appropriately, Menage a Trois. ("Wine of the week" *Anchorage Daily News*, Nov. 23, 2007)
5. The **sexy** bottle and old-style French label make this Champagne dance off the shelf. ("Dallas' Best-Selling Wines" *Dallas Morning News*, Nov. 1, 2007)
6. Breaking out a **sexy** SUV (*Birmingham News* (Alabama), Jan. 13, 2008)
7. The jets that would take off and land from this **sexy** extended runway completed around 2015 would not need that length. ("LETTERS - Don't extend debt for runway to nowhere" *Providence Journal*, Jan. 8, 2008)
8. As it happens, this big-screen version of George Crile's enthralling nonfiction book was adapted for the screen by "The West Wing's" Aaron Sorkin, the originator of the notion that we all ought to drop by the White House weekly for lively, **sexy** fiction centered around pivotal -- albeit fictional -- moments in history. ("'"Charlie Wilson' slides on slick path" *Inside Bay Area* (California), Dec. 21, 2007)
9. Could the best be the **sexy**, metro-trattoria Cantinetta Luca, Carmel's shining new star? ("The best Monterey County

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restaurants reviewed in 2007" *Monterey County Herald*, Jan. 3, 2008)

10. If Hollywood built a restaurant designed to evoke a **sexy**, modern, monied Chinatown, it would probably look a lot like designer-owner John Janviriya's new Chen Chow Brasserie, downtown Birmingham's latest see-and-be-seen spot. ("Chen Chow Brasserie is triumph of style," *Detroit Free Press*, Jan. 24, 2008)

11. The Fremont Co., which produces and distributes sauerkraut, sent me a news release touting the National **Sexy** Sauerkraut Campaign. The release explained that the company developed a marketing plan to "re-brand kraut and make it appealing and 'hip' to a younger generation." (*State Journal-Register* (Springfield, IL), Oct. 31, 2007)

12. "Microsoft is not a **sexy** company, and they've taken a lot of hits for not being **sexy**," he added. (*Seattle Post-Intelligencer*, Oct. 29, 2007)

13. "In reality, it is a **sexy** issue because it's having an incredible impact on financial markets," Kanjorski said. ("House Financial Services Weighing Crackdown on Home Appraisers" *CongressNow*, Nov. 5, 2007)

14. When anybody who was anybody in 1800s Portland built a building, it had to have a cast iron façade. Showy and **sexy**, the frontages shouted status. ("Cast from the past: Historic iron vs. modern-day design in Portland" *Daily Journal of Commerce* (Portland, OR), Nov. 9, 2007)

15. "The problem is that smart shock absorbers for trucks just aren't **sexy**," she said. "The product does not create a buzz for venture capitalists in Oklahoma. It's not bio- or nano- or weather-tech. ("New trucking technology may be lucrative venture for Norman-based Scrub Oak" *Journal Record* (Oklahoma City), Nov. 26, 2007)

16. There were gutter-cleaning robots and booth after booth of sleek, **sexy** phones and wireless accessories. (*Las Vegas Review-Journal*, Jan. 15, 2008)

17. By far, the coolest gadget of the year has been the iPhone. **Sexy**, intuitive and brilliant in one small package. Apple scored a home run on this device and you will, too, by dropping one of these babies into a gift bag. ("THE MAC GUY: Tech gifts abound this Christmas" *Las Vegas Review-*

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Journal, Dec. 9, 2007)

18. A **sexy** new blog has launched and its arousing provocative culinary conversations. ("Seduction Meals: Igniting Flames of Passion One Meal at a Time" *PR Newswire*, Nov. 15, 2007)

19. Frengo and Pollection Announce Partnership to Bring **Sexy** Back to Mobile (*Business Wire*, Nov. 19, 2007)

20. Who says you can't be **sexy**, green and a little stealthy at the same time? ... "They can be sexier than any car on the road," Fisker said last week at the debut of the Karma at the Detroit auto show. (*Automotive News*, Jan. 21, 2008)

21. Klaus Maier, Mercedes head of sales and marketing, said the campaign aims to make the automaker's "green cars as emotional and as **sexy** as performance cars." (*Automotive News Europe*, Nov. 12, 2007)

22. Could the best be the **sexy**, metro-trattoria Cantinetta Luca, Carmel's shining new star? (restaurant review in *The Monterey County Herald*, Jan. 3, 2008)

23. Don't miss the **sexy** fries. What makes them so **sexy**, you are wondering? That would be the intoxicating white truffle dressing in which the wide potato wedges, crisp on the outside and soft inside, are tossed. ("Historic Mickey's Tavern starts serving food" *The Wisconsin State Journal*, Nov. 10, 2007)

24. Farmers are hot. ... [T]he concepts of locally grown food and organic cultivation continue to bring farmers a new kind of cool, editor James Oliver Cury says. "I think to people who are up on food journalism, farmers are kind of **sexy** nowadays," says Cury, who edits the culinary site from New York City. ("Farmers Crop Up With Trendy Image Americans Dig Their Farmers" *The Tampa Tribune*, Dec. 26, 2007)

25. Except when they're reverting to form and introducing the latest **sexy**, gas-hungry hot rod with head-snapping acceleration. ("FUEL-EFFICIENT OR SEXY CAR? HOW 'BOUT BOTH?" *Pittsburgh Post-Gazette*, Nov. 1, 2007)